

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Norfolk Division**

**KAY REDDITT, individually and as  
the personal representative of  
Thomas M. Lodahl,**

**Plaintiff,**

**v.**

**Civil Action No. 2:12cv521**

**LAW OFFICES OF SHAPIRO, BROWN &  
ALT, LLP, et. al.**

**Defendants.**

**DECLARATION OF DALE W. PITTMAN IN SUPPORT OF REQUEST FOR  
STATUTORY ATTORNEY'S FEES AND COSTS**

Dale W. Pittman declares under penalty of perjury that the following statements are true:

1. I am a member in good standing of the bars of the following courts:

Supreme Court of the United States  
Washington, DC  
February, 1997

Supreme Court of Virginia  
Richmond, Virginia  
June 8, 1976

U. S. Court of Appeals for the Fourth Circuit  
Richmond, Virginia  
September 2, 1980

U. S. District Court for the Western District of Virginia  
Roanoke, Virginia

U. S. District Court for the Eastern District of Virginia  
Richmond, Virginia  
December 30, 1976



U. S. Bankruptcy Court for the Eastern District of Virginia  
Richmond, Virginia  
November, 1997.

2. I am a 1971 graduate of Hampden-Sydney College and a 1976 graduate of the T. C. Williams School of Law of the University of Richmond, Virginia. I am a member of the Virginia State Bar, the Virginia Trial Lawyers Association, the Virginia Bar Association, the National Association of Consumer Advocates, and the Petersburg Bar Association, of which I am a past President. Until June, 2007, I was a member of the Council of the Virginia State Bar, the State Bar's governing body, serving for two terms as the elected representative of the Eleventh Judicial Circuit. I am a member of the Board of Governors of the Virginia Trial Lawyers Association, and I chair the VTLA's Consumer Law Section.

3. From February 1, 1977 until September 13, 1996, I was employed by Southside Virginia Legal Services, in Petersburg, Virginia, as its General Counsel (Chief Executive Officer). My caseload at Southside Virginia Legal Services evolved over the years into a primarily consumer law practice.

4. From September 16, 1996, until the present, I have maintained a private law practice with an office located in Petersburg. My work in private practice is limited almost exclusively to the representation of consumers, with particular emphasis on representing consumer debtors under the Fair Debt Collections Practices Act. I have developed a statewide consumer law practice, and have represented consumers from all regions of the Commonwealth and elsewhere.

5. I was a contributing editor to the consumer law sections of Virginia Practice Manual, a practice manual for Legal Aid lawyers in Virginia, and for private lawyers handling cases under the auspices of *pro bono* initiatives in Virginia.

6. Pleadings and discovery from many of my consumer law cases appear in the National Consumer Law Center's Consumer Law Pleadings, nationally distributed form books of consumer law pleadings, beginning in 1994. Pleadings and discovery from my cases appear in Books 1, 2, 5, 6, 7, 10, and 11.

7. I have given at least sixty lectures to lawyers that qualified for continuing legal education credit.

8. I have made two presentations to Virginia's General District Court judges at the Judicial Conference of Virginia for General District Court judges, one in 1987 and one on August 13, 2008.

9. I have given a number of lectures to professional groups on consumer law issues, including:

FDCPA: Ask the Experts	National Association of Consumer Advocates Fair Debt Collection Training Conference, Baltimore	March 8, 2013
FDCPA Update	JAG School, Charlottesville	December 11, 2012
FDCPA	ABA Standing Committee on Legal Assistance to Military Personnel, George Mason University Law School	March 15, 2012
Fair Debt Collections Practices Act	Ft. Lee Legal Assistance Division JAG Office CLE	May 5, 2011
Debt Collection: Protecting Consumers in Debt Collection and Arbitration	Federal Trade Commission Roundtable, Washington, DC	December 4, 2009

Handling Fair Debt Collections Practices Act Cases	65 <sup>th</sup> Legal Assistance Course, The Judge Advocate General's Legal Center and School, Charlottesville	November 16, 2009
Handling Fair Debt Collections Practices Act Cases	VPLC Statewide Legal Aid Conference, Williamsburg	November 5, 2009
Challenging Predatory Small Loans	National Consumer Law Center Consumer Rights Litigation Conference, Philadelphia	October 23, 2009
The Fair Debt Collections Practices Act: Update 2009	VA CLE Webinar	September, 2009
Handling Fair Debt Collections Practices Act Cases	2009 Mid-Atlantic Joint Services Consumer Law Symposium, Naval Legal Service Office Mid-Atlantic Legal Assistance Department, Norfolk	June 12, 2009
Handling Fair Debt Collections Practices Act Cases	64 <sup>th</sup> Legal Assistance Course, The Judge Advocate General's Legal Center and School, Charlottesville	April 2, 2009
Defending Consumers in Medical Debt Collection Cases	National Consumer Law Center's Consumer Rights Litigation Conference in Portland, Oregon	October, 2008
Combating Consumer Issues Facing the Military, FDCPA Cases	Consumer Law Intensive for Military Personnel	October, 2008

	Advocates, National Consumer Law Center's Consumer Rights Litigation Conference in Portland, Oregon	
Issues in Arbitration Cases	Judicial Conference of Virginia for District Court Judges, Virginia Beach	August 13, 2008
A Perfect Storm – The Intersection of the FDCPA and the FCRA in Debt Collection Harassment Cases	Virginia CLE Solo and Small Firm Institute, Williamsburg	May 13, 2008
Defending Debt Collection Suits	National Consumer Rights Litigation Conference, Washington, D.C.	November 11, 2007
Emerging Issues in Debt Collection Abuse & False Credit Reporting	Virginia Trial Lawyers Association Solo & Small Firm Conference, Richmond	October 19, 2007
Collecting Consumer Debts: The Challenges of Change. Concerns About Debt Collection: The Consumer's Perspective	Federal Trade Commission, Washington, D.C.	October 10, 2007
The Fair Debt Collections Practices Act (Including 2006 Amendments)	Virginia CLE	September 24, 2007
Fair Debt Collections Practices Act	Naval Legal Service Office Mid-Atlantic Joint Services Consumer Law Symposium, Norfolk	May 11, 2007
How to Win (or Not Lose) an Arbitration	National Consumer Rights Litigation Conference	November 11, 2006

Miami, Florida

Consumer Debt Collection	59 <sup>th</sup> Legal Assistance Course The Judge Advocate's School Charlottesville	November 2, 2006
Consumer Credit: Remedies You Should be Aware of	Virginia Trial Lawyers Association Solo & Small Firm Conference, Williamsburg	October 20, 2006
Collection Law From Start to Finish (Presentation on the FDCPA)	National Business Institute Richmond	October 10, 2006
Overview of the Fair Debt Collections Practices Act	Framme Law Firm, Richmond	June 23, 2006
Fair Debt Collection Practices Act	Naval Justice School Newport, Rhode Island	May 22 , 2006
Fair Debt Collection Practices Act – Essential Tips for Both Debtors and Creditors	Virginia CLE - 4 <sup>th</sup> Annual Advanced Consumer Bankruptcy, Richmond	April 28, 2006
Fair Debt Collection Practices Act	3 <sup>rd</sup> Annual Naval Legal Service Office, Mid-Atlantic, Auto Fraud Symposium, Norfolk	April 12, 2006
What the Virginia Lawyer Must Know about Consumer Protection	Solo and Small Firm Conference – Virginia Trial Lawyers Association, Charlottesville	September 30, 2005

Points to consider if You are Going to Arbitration	National Consumer Law Center's 13 <sup>th</sup> Annual Consumer Rights Litigation Conference	November 7, 2004
Protecting Your Client's Consumer Rights – Fair Debt Collections Practices Act	Virginia CLE - Richmond and Tysons Corner	April 21 and 22, 2004
Fair Debt Collections Practices Act Training Conference – Practice Issues	National Consumer Law Center and National Association of Consumer Advocates, Kansas City	February 22, 2004
Fair Debt Collections Practices Act	Henrico County Bar Association and Virginia Creditor's Bar Association, Richmond	February 19, 2004
Using Experts in Automobile Sale Wreck Damage Cases	IVAN Diminished Value Conference, Chesapeake	January 31, 2004
Consumer Law: Everything You Need to Know to be an Expert in Handling the Latest in Consumer Cases	First Annual Solo and Small Firm Conference – Virginia Trial Lawyers Association, Charlottesville	October 10, 2003
Points To Consider If You Are Going To Arbitration	Virginia Women Attorney's Association, Southside Chapter, Petersburg	July 31, 2003
Fair Debt Collection Practices Act	Virginia CLE, First Advanced Consumer Bankruptcy Conference	May 2, 2003
Fair Debt Collection Practices Act Fair Credit Reporting Act	Naval Justice School Newport, Rhode Island	April 3, 2003

Overview of the Fair Debt Collections Practices Act	Framme Law Firm, Richmond	December 17 & 18, 2002
Arbitrating: Who's Afraid of the Big Bad Wolf?	National Consumer Law Center Consumer Rights Litigation Conference, Atlanta	October 26, 2002
Mobile Home Litigation Issues	National Consumer Law Center Consumer Rights Litigation Conference, Atlanta	October 25, 2002
Settlement Agreements and Confidentiality Issues: Recent Cases in the News and the Problems News Attention Can Create	Virginia Trial Lawyers Association Fall Fiesta, Richmond	September 28, 2002
Practice Pointers Roundtable	Virginia Trial Lawyers Association Fall Fiesta, Richmond	September 27, 2002
Arbitration and Beyond: What to Do If You Are Forced Into Arbitration and What Happens After the Arbitral Award	Virginia Trial Lawyers Association Fall Fiesta, Richmond	September 27, 2002
Fair Debt Collection	ABA Standing Committee on Legal Assistance for Military Personnel Legal Assistance Symposium, Quantico	August 15, 2002
Practical Applications of Consumer Protection Laws for the General Practitioner – Part II	Virginia Women Attorneys Association, Southside Chapter, Petersburg	June 27, 2002
Practical Applications of Consumer Protection Laws for the General Practitioner – Part I	Virginia Women Attorneys Association, Southside Chapter,	April 25, 2002



Petersburg

Federal Court-Fun & Easy	Annual Statewide Legal Aid Conference, Virginia Beach	November 1, 2001
FDCPA Compliance for the Virginia Practitioner	National Business Institute CLE for Virginia Lawyers, Richmond	October 11, 2001
Use of Magnuson-Moss Warranty Act in the Recovery of Attorney's Fees	Virginia Trial Lawyers Association Fiesta 3, Richmond	September 28, 2001
Credit Reporting Abuse	Petersburg Kiwanis Breakfast Club, Petersburg	September 18, 2001
A Consumer Lawyer's Perspective on Mobile Home Transactions	Virginia Manufactured Housing Association, Virginia Beach	August 8, 2001
Debt Collection Harassment, Credit Reporting Abuse, Home Solicitation Sales, Fraud.	Elder Law Day	May 11, 2001
Truth in Lending Act and Title Issues in Car Sales	VA Independent Automobile Dealers Association, District 1 Dinner Meeting, Virginia Beach, Virginia	April 11, 2001
What do these attorneys know about the used car business that you don't?	VA Independent Automobile Dealers Association, District 2 Dinner Meeting, Richmond, Virginia	January 30, 2001
Mobile Home Litigation Issues	National Consumer Law Center Consumer Rights Conference	October 28, 2000

Update on the Fair Debt Collection Practices Act	Virginia CLE®	July 12 and 19, 2000
Consumer Privacy in the Electronic Age	The Bar Association of the City of Richmond	May 31, 2000
Consumer Law Update for Virginia Practitioners, Fair Debt Collection Practices Act.	Virginia CLE®	December 7 and 8, 1999
Recent Developments in Fair Debt Collection, With an Emphasis on the Fourth Circuit	Annual Statewide Legal Aid Conference	November 3, 1999
Recent Developments in Fair Debt Collection	The Bankruptcy Section of the Bar Association of the City of Richmond	October 26, 1999
Consumer Law Seminar	Office of the Staff Judge Advocate, Ft. Eustis, Virginia	August 27, 1999
Automobile Fraud and Financing Issues	Annual Statewide Legal Aid Conference	November 11, 1998
Consumer Law for Support Staff	Annual Statewide Legal Aid Conference	November 11, 1998
First Day in Practice (Topic: Consumer Law Practice)	Virginia State Bar	November 3, 1998
Complying with the Fair Debt Collection Practices Act in Virginia	National Business Institute CLE for Virginia Lawyers	September 9, 1998
Basic Overview of Several Consumer Protection Laws Available to Assist Victims of Consumer Fraud and Abuse	Charlottesville-Albemarle Bar Association Bankruptcy/Creditors'	February 10, 1998

Rights Committee

Overview of Consumer Law for Support Staff	Annual Statewide Legal Aid Conference	November 6, 1997
The Fair Debt Collection Practices Act	Annual Statewide Legal Aid Conference	November 6, 1997
Recent Developments under the Fair Debt Collection Practices Act	Virginia Creditor's Bar Association	September 25, 1997
Fair Debt Collection Practices Act	10 <sup>th</sup> Circuit Bar Association	April 23, 1997
Complying With the Fair Debt Collection Practices Act in Virginia	National Business Institute CLE for Virginia Lawyers	February 11, 1997
Handling Repossession Cases (gave segment on odometer law)	Virginia Legal Services Consumer Law Task Force	
State and Federal Consumer Protection Statutes Frequently Applicable to General District Court Cases	Judicial Conference of Virginia General District Court Judges	April 29, 1989
Everything Under the Sun You Ever Wanted to Know About Handling Home Improvement Cases	Elderly Law Task Force of Virginia Legal Services Programs	
Consumer Law for Non Consumer Lawyers	Virginia Legal Services Attorneys	
Handling Home Improvement Cases	Consumer Law Training for Virginia Legal Services Attorneys	

10. The Summer 2006 edition of *The Journal of the Virginia Trial Lawyers Association*, included "Disputing Home Loan Servicing Abuse Through RESPA," an article that I prepared for that publication.

11. Since 2001, I have prepared annual reports on Virginia law for the American Bar Association's *Survey of State Class Action Law*.

12. I was Section Chairman and Program Moderator for a Virginia Trial Lawyers Association Consumer Law Seminar entitled "Keeping the Big Boys Honest," that took place on April 25, 1997, and covered the Fair Debt Collection Practices Act, the Fair Credit Reporting Act, Consumer Class Actions, Motor Vehicle Litigation, and Recovering Attorney's Fees in Consumer Litigation. I was Program Chair for the Consumer Law portion of the VTLA's February Fiesta CLE that took place in Williamsburg in February, 2000. I was a presenter on Mobile Home Sales, and in a Consumer Law Practice Roundtable. I was Program Chair for the Consumer Law portion of the VTLA's Fall Fiesta that took place in Williamsburg on October 14 and 15, 2000, and was a presenter on Emerging Issues in Mobile Home Sales Fraud. I was program Chair for the Consumer Law portion of the VTLA's Fiesta 3 that took place in Richmond on September 28 and 29, 2001, and was a presenter on "Use of the Magnuson-Moss Warranty Act to Recover Attorney's Fees." I was program Chair for the Consumer Law portion of the VTLA's Fiesta 2002 that took place in Richmond on September 27 and 28, 2002, and was a presenter on "Settlement Agreements and Confidentiality Issues: Recent Cases in the News and the Problems News Attention Can Create," "Arbitration and Beyond: What to Do If You Are Forced Into Arbitration and What Happens After the Arbitral Award," and a roundtable participant in a "Practice Pointers Roundtable."

13. I have been involved in many consumer cases involving a range of consumer protection laws, with an emphasis on the Fair Debt Collection Practices Act. Recent Fair Debt Collection Practices Act cases that I have handled alone or co-counseled with others include Withers v. Eveland, 988 F. Supp. 942 (E.D. Va. 1997); Creighton v. Emporia Credit Service, Inc., 981 F. Supp. 411 (E.D. Va. 1997); Morgan v. Credit Adjustment Board, 999 F. Supp. 803 (E.D. Va. 1998); Talbott v. GC Services Limited Partnership, 53 F. Supp. 2d 846 (W.D. Va. 1999); Talbott v. GC Services Limited Partnership, 191 F.R.D. 99 (W.D. Va. 2000); Woodard v. Online Information Servs., 191 F.R.D. 502 (E.D.N.C., Jan. 19, 2000); Jones v. Robert Vest, 2000 U.S. Dist. LEXIS 18413 (E.D. Va. 2000); Kelly v. Jormandy, 2005 U.S. Dist. Lexis 29901 (W.D. Va. 2005); Turner v. Shenandoah Legal Group, P.C., 2006 U.S. Dist. LEXIS 39341 (E.D. Va., June 12, 2006); Karnette v. Wolpoff & Abramson L.L.C., 2006 U.S. Dist. LEXIS 53382 (E.D. Va. Aug. 2, 2006); Croy v. E. Hall & Associates, P.L.L.C., 2007 U.S. Dist. LEXIS 14830 (W.D. Va. 2007); Karnette v. Wolpoff & Abramson, L.L.P., 2007 U.S. Dist. LEXIS 20794 (E.D. Va. March 23, 2007); and Bicking v. Law Offices of Rubenstein and Cogan, 783 F. Supp. 2d at 841v (E.D. Va. 2011). I was one of several lawyers representing plaintiff classes in a Multidistrict FDCPA class action, styled In Re Dun & Bradstreet, Inc. Debt Collection Practices Litigation, MDL #1198. The cases, originally transferred by the Judicial Panel on Multidistrict Litigation to the Western District of Virginia, Danville Division, for consolidated pretrial proceedings, were centralized before the Northern District of Illinois for purposes of finalizing settlement. Classes were certified by Judges Kiser and Boyle in the Talbott and Woodard cases. Judge Wilson certified a class in Gansauer v. Transworld Systems, Inc., Civil Action No. 7:00cv00931, a case under the Fair Debt Collections Practices Act. Judge Conrad certified a

class in Kashani v. Integrity Collections, Civil Action No. 5:06cv73, a case under the Fair Debt Collections Practices Act.

14. I served as Special Master in the case styled Silva v. Haynes Furniture Company, Inc., Civil Action No. 4:04cv082, E.D.Va., an ECOA/FCRA class action, having been appointed by Judge Kelley on January 27, 2006.

15. On November 9, 2007, I received the 2007 Consumer Attorney of the Year Award from the National Association of Consumer Advocates at its Annual Meeting in Washington, D.C.

16. Less than a handful of Virginia attorneys are willing to accept consumer cases because of the special expertise required and the risk of nonpayment. I am requesting attorney's fees at the rate of \$425.00 per hour. I believe that the amount requested is reasonable, and that it is less than the rates being charged by many attorneys of similar experience and expertise in Virginia's federal and state courts.

17. My standard hourly billing rate is \$425.00. That is the rate I charge clients for representation in consumer cases. I increased my hourly rate from \$375 to \$425 early in the fall of 2008.

18. More recently, my current \$425 hourly rate was approved in Randle v. H&P Capital, Inc., No. 3:09cv608, 2010 U.S. Dist. LEXIS 74994 (E.D. Va. July 21, 2010), adopted in part 2010 U.S. Dist. LEXIS 101509 (E.D. Va. Sept. 23, 2010); affirmed in part and appeal dismissed in part by Randle v. H&P Capital, Inc., 2013 U.S. App. LEXIS 4506 (4th Cir. Va., Mar. 5, 2013).

19. My caseload consists almost exclusively of consumer protection matters on behalf of consumers, with a very heavy emphasis on cases under the Fair Debt Collections Practices

Act. I undertake representation in most cases with the expectation of being paid a contingency amount from the proceeds of recovery, or being paid based on an award of fees pursuant to a fee shifting statute such as the FDCPA. I also represent many consumers on the basis of fees paid to me directly by the individual clients. In those cases, the rate of compensation that I require for my services is based on the hourly rate of \$425.00.

20. I am able to bill at \$425.00 per hour because I have over thirty years experience as a consumer lawyer. Hardly any other attorneys in Virginia have such extensive experience representing consumers, and I know of no other lawyer in Virginia whose practice is limited to a consumer law practice aimed heavily at the FDCPA.

21. My work in connection with this case is shown on the schedule attached hereto, marked Exhibit A. I prepared my time records contemporaneously with my performance of the work, using the P.C. Law, Jr. software package for lawyers. The time records do not duplicate work performed in any other file.

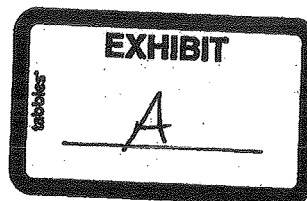
22. I have thus far devoted 4.1 hours to the representation of the plaintiff in this case which, at my current \$425.00 hourly billing rate, comes to \$1,742.50.

23. The total amount that I am requesting be award in statutory attorney's fees and costs comes to **\$1,742.50**.

Executed in Petersburg, Virginia, this 25th day of April, 2013.

/s/  
By: Dale W. Pittman, VSB#15673  
THE LAW OFFICE OF DALE W. PITTMAN, P.C.  
The Eliza Spotswood House  
112-A West Tabb Street  
Petersburg, VA 23803  
(804) 861-6000  
(804) 861-3368 (Fax)  
[dale@pittmanlawoffice.com](mailto:dale@pittmanlawoffice.com)

Kay Redditt



Apr 25, 2013

Attention:

File #: 120100

Inv #: Sample

RE: Kay Redditt b v. Law Offices of Shapiro Brown &amp; Alt, LLP et al.

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Sep-18-12	Read complaint and exhibits as filed on PACER today	0.90	382.50	DWP
Nov-06-12	Review our returns of service as to each defendant, docket no.2.	0.10	42.50	DWP
Nov-16-12	Review defendants' filed consent motion for additional time to file responsive pleadings.	0.10	42.50	DWP
	Review defendants' filed financial statements.	0.10	42.50	DWP
Nov-20-12	Review agreed order as entered granting defendants' motion for additional time.	0.10	42.50	DWP
Dec-17-12	Review Ostroff's letter to court sending signed consent order extending time for plaintiff to file opposition to motion to dismiss.	0.10	42.50	DWP
Jan-02-13	Review Ethan Ostroff letter to the court sending consent extension motion for Plaintiff to file opposition to MTD	0.10	42.50	DWP
Jan-03-13	Read court's entered agreed order.	0.10	42.50	DWP
Jan-22-13	Review notice of appearance by Megan Burns.	0.10	42.50	DWP
Jan-23-13	Read defendants' motion for extension of time to file reply. Read order granting same.	0.10	42.50	DWP
Feb-06-13	Review doc's flagged by Kristi Kelley that are attached to Def's reply memorandum.	0.20	85.00	DWP
Feb-08-13	Review G&G nonsuit order received in today's mail, review GDC case online. Email to Redditt v Shapiro co counsel re same.	0.40	170.00	DWP
Feb-20-13	Read our filed papers as to Defendants' pending MTD	1.10	467.50	DWP
Feb-28-13	Read defendants' offer of judgment. Review email traffic among co-counsel regarding same.	0.40	170.00	DWP
Apr-18-13	Email exchanges among co counsel as to the pending fees issue. Read ECF filing of consent motion papers for extension to respond while the parties continue negotiating this issue.	0.20	85.00	DWP



Totals

---

4.10 \$1,742.50**FEE SUMMARY:**

<b>Lawyer</b>	<b>Hours</b>	<b>Effective Rate</b>	<b>Amount</b>
Dale W. Pittman	4.10	\$425.00	\$1,742.50

**Total Fees, Disbursements**

---

\$1,742.50

Previous Balance

\$0.00

Previous Payments

\$0.00

**Balance Due Now**

---

\$1,742.50**AMOUNT QUOTED:**

\$0.00